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Goddard Welcomes \$29 million Settlement In Class-Action Suit Over Defective Vests

(Phoenix, Ariz. - July 13, 2005) Attorney General Terry Goddard today commended a preliminary settlement of \$29 million in a national class-action lawsuit against Toyobo Co., the Japanese textile manufacturer that provided Zylon fiber for bullet-proof vests suspected of being defective.

The settlement affects all law enforcement officers and agencies that purchased Ultima, Ultimax and TriFlex bullet-proof vests from Second Chance Body Armor, Inc. The settlement does not resolve claims against Second Chance, including a consumer fraud action filed by the Arizona Attorney General's Office last year. Second Chance is now in Chapter 11 bankruptcy and attempting to sell its assets.

"Although \$29 million may not fully reimburse buyers of the Zylon vests, it will provide at least some compensation," Goddard said. "We will continue to pursue our claim against Second Chance, but given the company's uncertain financial status, it's hard to know how much money it will be able to pay."

The Arizona suit against Second Chance alleges that it defrauded customers by failing to disclose that the Zylon fibers in its vests may not provide the warranted level of protection.

Last month, Goddard urged all state law enforcement officers to replace Second Chance Zylon vests, which have been worn by many officers across Arizona. The warning followed an announcement by Second Chance that its Zylon vests had the "potential for serious personal injury or death." That announcement confirmed what the Attorney General's Office had been saying for the past 18 months. More than 150,000 of the vests have been sold nationally.

Goddard is sending a notice to all state law enforcement agencies that outlines the preliminary settlement.

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